

Senator Bradshaw (present), who would vote "Nay."

Senator Smith (absent), who would vote "Yea."

Senator Bracewell (present), who would vote "Nay."

Senator Hazlewood (absent), who would vote "Yea."

Adjournment

On motion of Senator Lane the Senate at 2:20 o'clock p.m. adjourned until 2:22 o'clock p.m. today.

EIGHTH DAY

(Tuesday, December 3, 1957)

The Senate met at 2:22 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hazlewood	Owen
Herring	Smith

A quorum was announced present.

Rev. W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Secrest.

Senator Owen was granted leave of absence for today on account of im-

portant business on motion of Senator Rogers.

Senator Hazlewood was granted leave of absence for today on account of illness on motion of Senator Martin.

Senator Smith was granted leave of absence for today on account of important business on motion of Senator Lock.

Senate Bill on First Reading

The following bill was introduced, read first time and referred to the committee indicated:

By Senator Rogers:

S. B. No. 29, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the county wherein such minnows are caught, seined or taken; with certain exceptions; provided that this Act shall only apply to persons, firms or corporations transporting minnows caught, seined, or taken from the waters of the County of Childress; providing prima facie evidence as to possession; providing a penalty for the violation of this Act; and declaring an emergency."

To the Committee on Game and Fish.

Senate Resolution 51

Senator Gonzalez offered the following resolution:

Whereas, Governor Price Daniel has called this Special Session to further provide for the maintenance of law, peace and order in the operation of the public schools without the use of military force; and

Whereas, We are primarily concerned with preventing situations from arising which would necessitate the intervention of military forces to maintain that law, peace and order; now, therefore, be it

Resolved, by the Senate of the State of Texas, That we reaffirm the principles of public education which guided and pervade the Texas Declaration of Independence and our Constitution, recognize the dire necessity for public education on the national and statewide level, and affirmatively declare that the disruption of public education by mob rule or by the capricious exercise of powers possessed by officials in any capacity is against

state policy and shall not be tolerated.

The resolution was read.

There was objection to considering the resolution immediately.

Question—Shall S. R. No. 51 be adopted?

Message from the House

Hall of the House of Representatives,
Austin, Texas,
December 3, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 31, Sine die adjournment, Tuesday, December 3, 1957, at 7 o'clock p.m.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

Senator Kazen submitted the following report:

Austin, Texas,
December 2, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 29, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senate Bill 29 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent S. B. No. 29 was ordered not printed.

House Bill 5 on Third Reading

The President laid before the Senate on its third reading and final passage the following bill:

H. B. No. 5, An Act to provide for the maintenance of law, peace and order in the operation of the public schools without the use of military forces by requiring certain organizations to file certain information under oath in the County Clerk's Office upon the request of the County Judge;

providing a penalty for violations; declaring provisions of the Act severable; and declaring an emergency.

The bill was read third time.

Senator Moffett moved the previous question on the final passage of H. B. No. 5 and the motion was duly seconded.

The previous question was ordered by the following vote:

Yeas—16

Aikin	Martin
Bracewell	Moffett
Colson	Moore
Fly	Parkhouse
Hardeman	Ratliff
Krueger	Roberts
Lane	Weinert
Lock	Wood

Nays—11

Ashley	Phillips
Bradshaw	Reagan
Fuller	Rogers
Gonzalez	Secrest
Hudson	Willis
Kazen	

Absent—Excused

Hazlewood	Owen
Herring	Smith

H. B. No. 5 was then finally passed by the following vote:

Yeas—13

Aikin	Moore
Colson	Parkhouse
Krueger	Phillips
Lane	Ratliff
Lock	Roberts
Martin	Wood
Moffett	

Nays—12

Ashley	Hudson
Bradshaw	Kazen
Fly	Reagan
Fuller	Secrest
Gonzalez	Weinert
Hardeman	Willis

Absent—Excused

Herring	Smith
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Pairs Recorded

Senator Rogers (present), who would vote "Yea."

Senator Owen (absent), who would vote "Nay."

Senator Bracewell (present), who would vote "Nay."

Senator Hazlewood (absent), who would vote "Yea."

Senate Resolution 52

Senator Willis offered the following resolution:

Whereas, The east side of the City of Fort Worth is seriously handicapped by lack of a freeway to serve traffic to and from the downtown area; and

Whereas, Citizens of the east side had heretofore helped pass a bond program to finance a freeway system for the City of Fort Worth; and

Whereas, One of the freeways to be constructed under the bond election was to serve the east side area, but this route was taken over by the Texas Turnpike Commission and a toll road located thereon; and

Whereas, The traffic congestion and transportation problem in the east side area has become more acute each year until present lack of easy access and egress to the City of Fort Worth from the east side area is cutting sharply into the time and operating costs to motorists, and trade and economic conditions of said area; and

Whereas, The citizens of the east side of Fort Worth were deprived of their proposed east side freeway when the route of said freeway was appropriated by the Texas Turnpike Commission which was created by the Texas Legislature and this action has deprived some one hundred thousand people of adequate freeway facilities; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the Texas Highway Department be requested to consider in any permanent highway program for Tarrant County, a direct freeway from downtown Fort Worth to serve the Polytechnic, Meadowbrook, Handley and Arlington areas.

The resolution was read and was adopted.

Record of Vote

Senator Parkhouse asked to be recorded as voting "nay" on the adoption of the above resolution.

Senate Bill 29 on Second Reading

Senator Rogers moved that Senate Rules 32 and 38, the regular order of business and the Constitutional Rule

requiring bills to be read on three several days be suspended and that S. B. No. 29 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hazlewood	Owen
Herring	Smith

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 29, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the county wherein such minnows are caught, seined or taken; with certain exceptions; provided that this Act shall only apply to persons, firms or corporations transporting minnows caught, seined, or taken from the waters of the County of Childress; providing prima facie evidence as to possession; providing a penalty for the violation of this Act; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 29 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 29 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Bracewell
Ashley	Bradshaw

Colson	Moore
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest
Lane	Weinert
Lock	Willis
Martin	Wood
Moffett	

Absent—Excused

Hazlewood	Owen
Herring	Smith

House Bill 6 on Second Reading

On motion of Senator Fly and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 6, A bill to be entitled "An Act transferring \$100,000 from the emergency appropriation previously made to the Governor's Office, to the appropriation account of the 55th Legislature in order to pay the salaries, per diem and other expenses of the Second Called Session of the 55th Legislature; and declaring an emergency."

The bill was read second time.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 6 by striking out all below the enacting clause, and by substituting therefor the following:

Section 1. The Comptroller of Public Accounts of this State is hereby authorized and directed to transfer the amount of One Hundred and Twenty Thousand (\$120,000) Dollars from the emergency appropriation previously made to the Governor's Office (said appropriation being the one made in Chapter 385, Acts, Fifty-fifth Legislature, Regular Session, 1957, Article III, under the heading "GOVERNOR'S OFFICE," item 26), to the appropriations account for the contingent expense, mileage and per diem of the Fifty-fifth Legislature which appropriation is hereby increased by the amount so transferred.

Sec. 2. Chapter 274, Acts of the Fifty-fifth Legislature, Regular Session, 1957, is hereby amended to make Section 1 of said chapter to read as follows:

"Section 1. Notwithstanding other provisions of law, the Legislature may appropriate money from the Motor Vehicle Inspection Fund for the purpose of constructing and initially equipping a building to be known as the 'State Archives and Library Building' to house the State Library and the State Archives, Museum and Land Office, including the purchase of a site therefor; and for the purpose of paying the expenses of the Fifty-fifth Legislature, as described in Chapter 1, Acts of the Fifty-fifth Legislature, Regular Session, as amended. Provided that the present Legislative Reference Library now housed in the Capitol Building shall not be removed therefrom, but shall be maintained in the space now assigned to the State Library, the Supreme Court Library and the Legislative Reference Library upon removal of the Supreme Court Library to the Supreme Court Building now under construction."

Sec. 2a. There is hereby appropriated from the Motor Vehicle Inspection Fund an additional sum of One Hundred and Sixty-five Thousand (\$165,000) Dollars for the biennium ending August 31, 1959, for the purpose of paying the expenses of the Fifty-fifth Legislature, as described in Chapter 1, Acts of the Fifty-fifth Legislature, as amended.

Sec. 3. Article 6687b, Revised Civil Statutes of Texas, is hereby amended to make Section 15 thereof (said Section 15 being the same as Section 15, Article III of H. B. No. 20, Chapter 173, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by Section 1 of Chapter 124, Acts of the Fifty-second Legislature, Regular Session, 1951, and by Section 1 of Chapter 108, Acts of the Fifty-fourth Legislature, Regular Session, 1955) to read as follows:

"Sec. 15. Disposition of fees. All fees and charges required by this Act and collected by any officer or agent of the Department shall be remitted without deduction on Monday of each week to the Department at Austin, Texas, and all such fees so collected shall be deposited in the State Treasury in a fund to be known as the Operator's and Chauffeur's License Fund.

"Fees and charges deposited in the Operator's and Chauffeur's License Fund under the provisions of this Act may, upon appropriation by the Legislature, be used by the Texas Department

ment of Public Safety for the payment of salaries, purchase of equipment and supplies, maintenance, and any and all other necessary expenses incident to the operation of the Texas Department of Public Safety in carrying out the duties as are by law required of such Department; except that the Legislature may also appropriate from said Fund for the purpose of paying the expenses of the Fifty-fifth Legislature, as described in Chapter 1, Acts of the Fifty-fifth Legislature, Regular Session, as amended. Any remaining balance in the Operator's and Chauffeur's License Fund on September 1 of each and every year shall remain in such Fund and shall be available for appropriation by the Legislature for the maintenance and support of the Texas Department of Public Safety as set forth hereinabove."

Sec. 3a. There is hereby appropriated from the Operator's and Chauffeur's License Fund the sum of Ten Thousand (\$10,000) Dollars for the biennium ending August 31, 1959, for the purpose of paying the expenses of the Fifty-fifth Legislature as described in Chapter 1, Acts of the Fifty-fifth Legislature, Regular Session, as amended.

Sec. 4. Whereas, the State of Texas in House Bill 14, Acts of the 55th Legislature, Second Called Session, 1957, relinquished its reversionary interest in certain property therein described in order that the State might acquire for the use and benefit of the Texas Employment Commission certain other property for use as a part of the location of its state headquarters office building and parking facilities, and

Whereas, the aforementioned action will enable the Texas Employment Commission to save a substantial sum in connection with the acquisition of a location for its headquarters office building and parking facilities,

It is therefore provided that the Texas Unemployment Compensation Act, as amended (Senate Bill No. 5, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, 1936, as amended), is hereby amended by adding thereto a new section, designated as Section 26A, reading as follows:

"Sec. 26A. In addition to all other purposes, as set out in Section 26 of this Act, for which the Unemploy-

ment Compensation Special Administration Fund may be used, Moneys in this Fund in an amount not to exceed \$60,000 may be used for the purpose of paying for the expenses of the 55th Legislature as described in Chapter 1, Acts of the 55th Legislature, Regular Session, 1957, as amended, and shall be available for appropriation or transfer by the Legislature to be used for such purpose during the biennium ending August 31, 1959."

Sec. 4a. The Comptroller is authorized to disburse not to exceed \$60,000 from moneys appropriated from the Unemployment Compensation Special Administration Fund for the payment of expenses of the 55th Legislature as described in Chapter 1, Acts of the 55th Legislature, Regular Session 1957, as amended, during the biennium ending August 31, 1959.

Sec. 5. Disbursements from the amounts authorized by the provisions of this Act shall be governed by the same regulations and procedures as are set forth in Chapter 1, Acts of the Fifty-fifth Legislature, Regular Session, 1957, as amended.

Sec. 6. If any provision of this Act or the application thereof to any circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

Sec. 7. The fact that the Governor has called a Second Special Session of the Fifty-fifth Legislature for the consideration of subjects submitted by him, and the further fact that there are insufficient balances in the prior appropriation for Legislative expense to pay the costs of such Second Special Session and the interim expenses of the Legislature, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Aikin offered the following amendment to the amendment:

Amend Fly amendment by striking

out \$120,000 wherever it appears and substitute \$100,000.

The amendment was read.

Senator Fly moved to table the amendment to the amendment.

Yeas and Nays were demanded.

The amendment to the amendment was tabled by the following vote:

Yeas—17

Ashley	Moore
Bradshaw	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Weinert
Krueger	Willis
Lane	Wood
Lock	

Nays—9

Aikin	Martin
Bracewell	Moffett
Colson	Rogers
Hudson	Secrest
Kazen	

Absent

Roberts

Absent—Excused

Hazlewood	Owen
Herring	Smith

The amendment by Senator Fly was then adopted.

Senator Fly offered the following amendment to the bill:

Amend H. B. No. 6 by making the caption conform to the body of the bill.

A bill to be entitled "An Act providing funds to pay the salaries, per diem, and other expenses of the Fifty-fifth Legislature by transferring \$120,000 from the emergency appropriation previously made to the Governor's Office; by amending the act creating the Motor Vehicle Inspection Fund so as to broaden its purpose and appropriating \$165,000 therefrom; by amending the act creating the Operator's and Chauffeur's License Fund so as to broaden its purpose and appropriating \$10,000 therefrom; by amending the Texas Unemployment Compensation Act to add a new Section, relating to uses of the Unemployment Compensation

Special Administration Fund and providing for the disbursement of \$60,000 from funds heretofore appropriated out of said Unemployment Compensation Special Administration Fund; providing for disbursements in accordance with Chapter 1, Acts of Fifty-fifth Legislature, Regular Session, 1957, as amended; providing a severability clause; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to third reading.

House Bill 6 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Roberts

Absent—Excused

Hazlewood	Owen
Herring	Smith

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Fuller
Ashley	Hardeman
Bracewell	Hudson
Bradshaw	Kazen
Colson	Krueger
Fly	Lane

Lock	Reagan
Martin	Rogers
Moffett	Secrest
Moore	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

Present—Not Voting

Gonzalez

Absent

Roberts

Absent—Excused

Hazlewood

Owen

Herring

Smith

Message from the House

Hall of the House of Representatives,
Austin, Texas,
December 3, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 15, Granting Moore Brothers Construction Company permission to sue the State.

S. C. R. No. 16, Condemning the refusal by major petroleum importing companies to accept full allowables set by the Railroad Commission of Texas.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Concurrent Resolution 31 on Second Reading

On motion of Senator Martin and by unanimous consent the President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 4, Requesting State Department of Public Welfare to adopt certain rules relating to old-age assistance.

The resolution was read and was adopted.

House Concurrent Resolution 31 on Second Reading

On motion of Senator Phillips and by unanimous consent, the President laid before the Senate for considera-

tion at this time the following resolution:

H. C. R. No. 31, Providing for Sine Die Adjournment at 7:00 o'clock p.m. on Tuesday, December 3, 1957.

The resolution was read and was adopted.

At Ease

On motion of Senator Weinert the Senate at 3:15 o'clock p.m. agreed to stand At Ease until 4:00 o'clock p.m. today.

In Legislative Session

Senator Martin called the Senate to order as in Legislative Session at 4:00 o'clock p.m.

Senate Resolution 54

(Caucus Report)

Senator Weinert offered the following resolution:

Austin, Texas,
December 3, 1957.

Hon. Ben Ramsey, President of the Senate,
Austin, Texas.

Sir: At a caucus held on December 3, 1957, and attended by 26 Members of the Senate, the following recommendations were made, to-wit:

Be it Resolved by the Senate, That the following named employees be retained for a number of days at the per diem salary specified in each case to perform such duties as may be required of them in connection with the business of the State, viz.:

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature, for which services he shall receive the same per diem, \$500.00 per month, which he now receives, and in addition thereto he and the Lieutenant Governor shall be furnished postage, telegraph, telephone, express and all other expenses incident to the office.

The Assistant Secretary of the Senate shall be employed by the Secretary of the Senate and shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature with a salary of \$14.00 per day.

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session and shall also employ some suitable person who shall index and annotate the Legislative Manual for the Senate of the Fifty-fifth Legislature and provide sufficient copies thereof to be paid for out of the Contingent Expense Fund for the use of the Members of the Senate.

The Warrant Clerk shall be retained for a period of 10 days at a salary of \$13.00 per day.

The Calendar Clerk shall be retained for 7 days at a salary of \$14.00 per day.

The Journal Clerk, Mrs. Minnie Meier, shall be retained for a period of 180 days at \$15.00 per day, and Mrs. Olga Schneider, Assistant Journal Clerk, shall be retained for 180 days at \$13.00 per day.

The Sergeant-at-Arms, John Dorman, shall be retained for the ad interim at the same pay he now receives and two assistants for 7 days at \$12.00 per day. The Lieutenant Governor may employ or retain at \$7.00 per day as many porters as may be necessary and a head porter at \$12.00 per day.

The Enrolling and Engrossing Clerk shall be retained 15 days at \$19.00 per day, and 5 assistants to assist her shall be retained for 15 days at \$11.00 per day, and 1 assistant for 15 days at \$14.00 per day.

The private secretary of each Senator may be retained for 7 days at \$14.00 per day to perform such duties as may be required of them.

The Postmistress shall be retained for 6 days at \$14.00 per day, after which time the Secretary of the Senate shall attend to all mail of the Senators.

The Mailing Clerk of the Senate shall be retained for 15 days at \$14.00 per day and 1 assistant for 10 days at \$13.00 per day, 1 assistant for 10 days at \$11.00 per day, and 1 assistant at \$14.00 per day for 5 days.

The Chairman of the Senate Committee on Contingent Expenses is hereby authorized and directed to

cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the private offices of the Members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the First and Second Called Sessions of the Fifty-fifth Legislature. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary, properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he shall be entitled to receive his actual and necessary expenses incurred while in the performance of such duties during the interim.

The Lieutenant Governor shall appoint a Custodian of the Senate to perform such services as the Lieutenant Governor or the Secretary of the Senate may direct and the Custodian to receive the sum of \$11.00 per day.

Resolved, That there shall be printed 325 volumes of the Senate Journal of the First and Second Called Sessions of the Fifty-fifth Legislature, and when completed 250 copies shall be bound in buckram and delivered to the Secretary of the Senate and one volume thus bound shall be forwarded by the Secretary of the Senate to each Member of the Senate and House of Representatives, to the Lieutenant Governor, and seventy-five paper bound copies shall be furnished to the State Library. The printing of such Senate Journals shall be done in accordance with the provisions of this resolution under supervision of the Chairman of the Committee on Contingent Expense, provided further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Journals until corrected and published in accordance with the pre-existing law as finally approved by the Chairman of the Committee on Contingent Expense of the Senate. When the accounts have been certified to by the Chairman of the Senate Committee on Contingent Expense, said accounts shall be paid out of the Contingent Expense Fund of the Second Called Session of the Fifty-fifth Legislature; and be it further

Resolved, That all salaries herein authorized to be incurred and paid

for shall be paid out of the per diem and contingent expense fund of the Second Called Session of the Fifty-fifth Legislature upon warrants signed by the Lieutenant Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate shall be paid upon warrants signed by the Lieutenant Governor and Chairman of the Senate Committee on Contingent Expenses; and be it further

Resolved, That the cash balance on hand under the provisions of S. R. No. 15 of the Forty-seventh Legislature be turned over to the Secretary of the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said resolution; and be it further

Resolved, That a matron be retained for the women's rest room at a salary of \$7.00 per day; and be it further

Resolved, That the Lieutenant Governor and the Chairman of the Senate Committee on Contingent Expense shall have authority to employ such additional personnel as may from time to time be required and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of the next session of the Legislature; and be it further

Resolved, That with the approval of the Lieutenant Governor and the Chairman of the Committee on Contingent Expense, the actual expenses of Members serving on interim committees whose expenses are not otherwise provided for shall be reimbursed from the Contingent Expense Fund; and be it further

Resolved, That the Lieutenant Governor is authorized to appoint a clerk during the ad interim to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expense Committee at a salary of \$8.00 per day, in an office to be assigned; and be it further

Resolved, That the Lieutenant Governor is authorized to appoint Rev. W. H. Townsend, Senate Chaplain, during the ad interim as an assistant to work under the direction of the

Lieutenant Governor and the Chairman of the Contingent Expense Committee at a salary of \$11.00 per day.

The Sergeant-at-Arms is specifically directed not to permit the removal of any of the property of the Senate from the Senate Chamber or the rooms of the Senate.

Respectfully submitted,

WEINERT,
Chairman of the Caucus.

AIKIN,
Secretary of the Caucus.

On motion of Senator Weinert and by unanimous consent the reading of the Caucus Report was dispensed with and the resolution was adopted.

Record of Votes

Senators Moffett, Martin and Hardeman asked to be recorded as voting "Nay" on the adoption of the above resolution.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
December 3, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 32, Memorializing Congress.

The House has concurred in Senate amendments to House Bill No. 6 by vote of 110 ayes, 7 noes.

S. B. No. 29, An Act making it unlawful to transport minnows of any and all species outside of the county wherein such minnows are caught, seined or taken; with certain exceptions; provided that this Act shall only apply to persons, firms or corporations transporting minnows caught, seined, or taken from the waters of the County of Childress; providing prima facie evidence as to possession; providing a penalty for the violation of this Act; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**House Concurrent Resolution 32
on Second Reading**

The Presiding Officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 32, Memorializing Congress relative to requirement for appointments to members of the Supreme Court.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the resolution was considered immediately and was adopted.

(President in the Chair.)

Election of President Pro Tempore Ad Interim for the Second Called Session of the Fifty-fifth Legislature

The President announced the election of a President Pro Tempore as the next order of business.

Senator Bracewell nominated Senator Jep S. Fuller of Jefferson County as President Pro Tempore Ad Interim of the Second Called Session of the Fifty-fifth Legislature.

Senator Parkhouse, Aikin, Kazen, Krueger, Lock, Secrest, Hudson, Moffett and Willis seconded the nomination of Senator Fuller as President Pro Tempore Ad Interim.

There being no further nominations, the President appointed Senators Aikin and Secrest as tellers to take up and count the ballots.

The ballots were taken up and counted and the President announced that Senator Fuller had received 26 votes with one present not voting for President Pro Tempore Ad Interim of the Second Called Session of the Fifty-fifth Legislature and declared him duly elected.

Senators Bracewell, Hudson and Kazen were appointed to escort Senator Fuller to the President's Rostrum. The President administered the Constitutional Oath of Office as President Pro Tempore Ad Interim for the Second Called Session of the Fifty-fifth Legislature to Senator Fuller and presented him to the Senate.

President Pro Tempore Fuller addressed the Senate, thanking the Members and promised to do his best

to fulfill the high honor bestowed upon him.

(Senator Aikin in the Chair.)

Senate Resolution 55

Senator Bracewell offered the following resolution:

Whereas, Goodwill Industries of Houston, Inc. has set aside December 8, 1957 as Good Turn Day which will afford to the citizens an opportunity to help their less fortunate fellow man; and

Whereas, The over sixteen thousand Boy and Cub Scouts throughout Harris County will take part in this important and significant day; and

Whereas, The sacrifice of those who have worked so diligently in this endeavor is worthy of the applause and recognition of our State; and

Whereas, the Senate desires to recognize Good Turn Day and send its best wishes; now, therefore, be it

Resolved, By the Senate of the State of Texas, that this Body commend Goodwill Industries of Houston, Inc. and the Boy and Cub Scouts of Harris County for this outstanding activity in behalf of their less fortunate citizens.

The resolution was read and was adopted.

Bill and Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

S. B. No. 29, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the county wherein such minnows are caught, seined or taken; with certain exceptions, etc., and declaring an emergency."

S. C. R. No. 15, Granting Moore Brothers Construction Company permission to sue the State of Texas.

S. C. R. No. 16, Relative to crude oil and authorizing the Railroad Commission to fix market demand.

(Senator Reagan in Chair.)

Senate Resolution 56

Senator Parkhouse offered the following resolution:

Whereas, Goodwill Industries of Dallas, Inc. has set aside December 8, 1957 as Good Turn Day which will afford to the citizens an opportunity to help their less fortunate fellow man; and

Whereas, The thousands of Boy and Cub Scouts throughout Dallas County will take part in this important and significant day; and

Whereas, The sacrifice of those who have worked so diligently in this endeavor is worthy of the applause and recognition of our State; and

Whereas, the Senate desires to recognize Good Turn Day and send its best wishes; now, therefore, be it

Resolved, By the Senate of the State of Texas, that this Body commend Goodwill Industries of Dallas, Inc. and the Boy and Cub Scouts of Dallas County for this outstanding work done for their less fortunate fellow man.

The resolution was read and was adopted.

(President in the Chair.)

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 5, An Act to provide for the maintenance of law, peace and order in the operation of the public schools without the use of military forces by requiring certain organizations to file certain information under oath in the County Clerk's Office upon the request of the County Judge; providing a penalty for violations; declaring provisions of the Act severable; and declaring an emergency.

H. C. R. No. 4, Requesting Department of Public Welfare to adopt rules relating to old-age assistance.

H. C. R. No. 31, Providing sine die adjournment for December 3, 1957, at 7:00 o'clock p.m.

H. C. R. No. 32, Memorializing Congress relating to requirements for appointments to Supreme Court.

Bill Signed

The President signed in the presence of the Senate after the caption

had been read, the following enrolled bill subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas:

H. B. No. 6, A bill to be entitled "An Act transferring \$120,000 from the emergency appropriation previously made to the Governor's Office, to the appropriation account of the 55th Legislature in order to pay the salaries, per diem and other expenses of the Second Called Session of the 55th Legislature; and declaring an emergency."

Senate Notified

A committee from the House of Representatives appeared at the Bar of the Senate and Mr. Elliott for the committee notified the Senate that the House was ready to adjourn sine die.

Committee to Notify House

The President announced the appointment of the following committee to notify the House that the Senate had completed its labors and was ready to adjourn sine die: Senators Colson, Lane and Hardeman.

Committee to Notify Governor

The President announced the appointment of the following committee to notify the Governor that the Senate had completed its labors and was ready to adjourn sine die: Senators Colson, Parkhouse and Krueger.

Governor Notified

The committee to notify the Governor that the Senate had completed its labors and was ready to adjourn sine die appeared at the Bar of the Senate and Senator Krueger for the committee reported that the committee had performed the duty assigned it.

House Notified

The committee to notify the House of Representatives that the Senate had completed its labors and was ready to adjourn sine die appeared at the Bar of the Senate and Senator Hardeman for the committee reported that the committee had performed the duty assigned it.

Adjournment Sine Die

The President announced that the hour fixed by concurrent action of the House and Senate for final adjournment of the Second Called Session of the Fifty-fifth Legislature had arrived.

Senator Colson moved that the Senate stand adjourned sine die.

The motion prevailed and the President declared the Second Called Session of the Fifty-fifth Legislature adjourned sine die at 5:55 o'clock p.m.

In Memory of
Judge Harry N. Graves

Senator Secrest offered the following resolution:

(Senate Resolution 53)

Whereas, In the passing of Judge Harry N. Graves, on the third day of December, 1957, the State of Texas, and in particular the people of Williamson County, lost a distinguished jurist, able attorney and worthy citizen; and

Whereas, Judge Harry N. Graves, born in Wilson County on April 4, 1877, had made Georgetown, Williamson County, Texas, his home since he was a young child; and

Whereas, He served ably in the Texas Legislature for nine years, beginning in 1927, contributing greatly to the prosperity, growth and development of the State; and

Whereas, Judge Graves was appointed to the Bench of the Court of Criminal Appeals on October 29, 1937, and was presiding judge of said Court from January 1, 1951, until his voluntary retirement on January 1, 1955, during which time he contributed much to the jurisprudence of this State in opinions he has written which will be cited for many generations to come; and

Whereas, Judge Graves has devoted his rich talents in public service to his community and his State for more than half a century; and

Whereas, He was a fine, Christian gentleman who was held in the highest esteem and admiration of all who were privileged to know him; and

Whereas, He is survived by one sister, Miss Fannie L. Graves, of Dallas, Texas; and

Whereas, It is the desire of the Senate of the Fifty-fifth Legislature, in Second Called Session, to pay tribute to this distinguished jurist and citizen; now, therefore, be it

Resolved, That when the Senate adjourns today, it do so in his memory and that a page in the permanent Journal of the Senate be devoted to the recording of this resolution; and, be it further

Resolved, That an enrolled copy of this resolution be sent to Miss Fannie L. Graves as a token of respect and sympathy.

SECREST
HERRING
AIKIN

Signed—Ben Ramsey, Lieutenant Governor, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Fly and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

APPENDIX**Committee for the Ad Interim**

The President of the Senate made the following appointments for the Ad Interim Committee on the part of the Senate:

Law Enforcement Study Commission

Judge Joe J. Fisher, Jasper, Texas; Judge A. R. Stout, Waxahachie, Texas; Honorable Earl Smith, San Angelo, Texas.

SUMMARY OF LEDGER ACCOUNTS
For the Period from September 12th, 1955, to December 13th, 1957

Member	Total 9-12-55 to 6-14-57	Office Supplies	Telephone and Telegraph	Postage	Total 6-15-57 to 12-13-57	Office Supplies
Aikin, A. M., Jr.	\$ 512.42	\$ 119.68	\$ 326.74	\$ 66.00	\$ 216.32	\$ 21.83
Ashley, Carlos	674.79	157.01	376.58	141.20	175.34	19.83
Bracewell, Searcy	1,422.14	437.05	688.09	297.00	312.00	62.61
Bradshaw, Floyd	784.23	301.71	285.52	197.00	218.06	16.60
Colson, Mrs. Neveille	1,218.29	387.58	522.71	308.00	134.97	18.15
Fly, William S.	1,025.14	350.15	518.99	156.00	347.53	88.18
Fuller, Jep S.	1,588.92	474.03	790.29	324.60	337.98	40.03
Gonzalez, Henry B.	1,376.43	737.41	262.82	376.20	529.75	348.17
Hardeman, Dorsey B.	621.40	248.01	305.99	66.50	296.27	166.53
Hazlewood, Grady	1,722.75	431.39	1,039.36	252.00	387.76	48.26
Herring, Chas. F.	1,019.00	698.09	169.91	151.00	183.28	53.59
Hudson, Hubert R.	996.72	351.75	528.97	116.00	631.28	247.47
Kazen, Abraham, Jr.	730.46	80.08	544.38	106.00	292.43	58.30
Krueger, Culp	1,652.95	574.66	736.91	341.38	699.31	411.99
Lane, Wardlow	653.90	193.99	333.31	76.60	178.20	24.86
Lock, Ottis E.	1,300.65	469.62	691.03	240.00	380.68	237.58
Martin, Crawford C.	1,068.30	293.55	521.75	253.00	280.94	51.52
Moffett, George	1,039.37	391.30	391.37	256.70	174.69	63.95
Moore, William T.	1,669.09	281.63	694.46	693.00	339.15	48.41
Owen, Frank, III	1,525.22	192.34	927.88	405.00	535.84	84.13
Parkhouse, George	2,868.04	836.57	1,696.27	335.20	616.51	81.09
Phillips, Jimmy	5,490.86	1,736.51	1,249.35	2,505.00	724.97	77.05
Ratliff, David W.	1,352.77	371.89	731.88	249.00	446.49	174.82
Reagan, Bruce A.	1,369.44	798.28	391.16	180.00	251.38	33.04
Roberts, Ray	1,395.94	581.14	274.80	540.00	236.73	66.43
Rogers, Andy	2,201.21	357.99	879.72	963.50	391.04	27.36
Secrest, Jarrard	1,385.34	499.19	613.15	273.00	371.37	96.60
Smith, Preston	2,424.43	730.36	940.57	753.50	515.85	233.01
Weinert, R. A.	398.95	122.29	183.16	93.50	138.76	14.90
Willis, Doyle	1,345.95	437.60	421.35	487.00	516.66	102.81
Wood, Bill	1,683.67	438.02	747.65	498.00	371.23	61.64
Kelley, Rogers	127.89	127.89				
Strauss, Gus J.	30.30	30.30				
Total Members	\$44,676.96	\$14,239.96	\$18,736.12	\$11,700.88	\$11,227.77	\$ 3,080.74
Others (See next page)	\$18,791.14	\$ 6,996.52	\$ 9,724.96	\$ 2,069.66	\$ 3,879.56	\$ 1,491.23
Totals	\$63,468.10	\$21,236.48	\$28,461.08	\$13,770.54	\$15,107.33	\$ 4,571.97

SUMMARY OF LEDGER ACCOUNTS
For the Period from September 12th, 1955, to December 13th, 1957—(Concluded)

Others	Total 9-12-55 to 6-14-57	Office Supplies	Telephone and Telegraph	Postage	Total 6-15-57 to 12-13-57	Office Supplies
Lieutenant Governor	\$ 3,012.62	\$ 305.86	\$ 2,547.96	\$ 159.30	\$ 749.21	\$ 74.76
Secretary of Senate	7,233.65	718.55	5,697.90	817.20	993.15	141.46
Sergeant-at-Arms	1,173.37	544.50	557.97	70.90	299.72	102.81
Calendar Clerk	255.34	93.68	161.66		117.12	31.42
Enrolling and Engrossing	1,612.08	1,555.56	56.52		533.30	468.84
Journal Clerk	45.90	45.90			7.05	7.05
Mailing Room	4,837.56	3,501.72	335.44	1,000.40	907.94	549.52
Post Office	112.52	26.79	63.87	21.86	56.68	4.25
Investigating Committee	140.23	140.23			111.62	111.62
Governor's Nominations	303.64		303.64		103.77	
Senate Hostess	64.23	64.23				
Total	\$18,791.14	\$ 6,996.52	\$ 9,724.96	\$ 2,069.66	\$ 3,879.56	\$ 1,491.23